



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,116	03/08/2005	Ronaldus Maria Aarts	NL 020887	9525
24737	7590	08/21/2007	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			BORROMEY, JUANITO C	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2184	
MAIL DATE		DELIVERY MODE		
08/21/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/527,116	AARTS, RONALDUS MARIA
	<b>Examiner</b>	<b>Art Unit</b>
	Juanito C. Borromeo III	2184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 March 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 08 March 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/13/2006, 3/08/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

The drawings are objected to because fig. 2 does not include the proper labels.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 101*

Claims 16 is rejected under 35 U.S.C. 101 because the claim recites a method, which is interpreted as a computer program, however, the claim fails to assert the

program recorded on an appropriate computer-readable medium so as to be structurally and functionally interrelated to the medium and permit the function of the descriptive material to be realized. Since a computer program is merely a set of instructions capable of being executed by a computer without a computer-readable medium needed to realize the computer program's functionality, it is regarded as nonstatutory functional descriptive material. See MPEP 2106.01 for details.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Barton et al. (U.S. Pat. No. 6233389), hereinafter after referred to as Barton' 389.

Referring to claim 1, Barton' 389 discloses a method of content presentation comprising the steps of:

receiving (fig. 1, input module) a content signal (fig. 1, input stream) from a content source (col. 3, lines 34 – 38, TV input streams);

deriving (fig. 1, media switch) a content indicator (fig. 5) from a content analysis (fig. 4, note parsed data) of the content signal (fig. 1, input stream); and

adjusting (col. 3, lines 28 - 29) a presentation rate (col. 3, lines 28 – 29, i.e. fast/slow play and etc.) of the content signal (fig. 1, input stream) in response to the content indicator (fig. 5).

As to claim 2, Barton' 389 discloses a method as claimed in claim 1 wherein step of adjusting further comprises adjusting the presentation rate (col. 3, lines 28 – 29, i.e. fast/slow play and etc.) in response to a user preference profile (col. 11, lines 17 – 21, user creates custom sequence of video output).

As to claim 3, Barton' 389 discloses a method as claimed in claim 2 wherein the user preference profile (col. 11, lines 17 – 21, user creates custom sequence of video output) is determined in response to a previous user behaviour (col. 11, lines 17 – 21, user creates custom sequence of a recorded videos, which is created prior to a show or the like).

As to claim 4, Barton' 389 discloses a method as claimed in claim 2 wherein the user preference profile (col. 11, lines 17 – 21, user creates custom sequence of video output) is determined in response to a user input (col. 2, lines 33, user input, i.e. commands for fast/slow play and etc.).

As to claim 5, Barton' 389 discloses a method as claimed in claim 1 wherein the step of adjusting the presentation rate (col. 3, lines 28 – 29, i.e. fast/slow play and etc.)

comprises selection between a first presentation rate (col. 3, lines 28 – 29, fast forward) and at least a second presentation rate (col. 3, lines 28 – 29, play).

As to claim 6, Barton' 389 discloses a method as claimed in claim 5 wherein the first presentation rate (col. 3, lines 28 – 29, i.e. fast/slow play and etc.) is a fast forward rate (col. 3, lines 28 – 29, fast forward) and the second presentation rate is a substantially real time presentation rate (col. 3, lines 28 – 29, play).

As to claim 7, Barton' 389 discloses a method as claimed in claim 5 wherein at least one presentation rate is a reverse time presentation rate (col. 3, lines 28 – 29, reverse).

As to claim 8, Barton' 389 discloses a method as claimed in claim 1 further comprising:

the step of recording the content signal (fig. 1, input stream) on a storage medium (fig. 1, hard disk 105), and

wherein the step of receiving (fig. 1, input module) the content signal (fig. 1, input stream) comprises receiving the recorded content signal from the storage medium (fig. 1, output module shows a method of receiving the recorded content from the storage medium), and the step of deriving (fig. 1, media switch) the content indicator (fig. 5) is performed in association with the step of recording the video signal (fig 6, discloses a method of deriving in association with recording video signals).

As to claim 9, Barton' 389 discloses a method as claimed in claim 1 wherein the step of deriving (fig. 1, media switch) the content indicator (fig. 5) comprises analysing content information data (fig. 5 shows a method of analysing address, type, and time stamp) associated with the content signal.

As to claim 10, Barton' 389 discloses a method of content presentation as claimed in claim 1 wherein the content signal is a video signal (col. 3, lines 34 – 38, TV input streams).

As to claim 11, Barton' 389 disclose a method as claimed in claim 10 wherein the content source is a video signal storage medium (col. 3, lines 34 – 38, DBS, DSS, ATSC).

As to claim 12, Barton' 389 discloses a method as claimed in claim 11 wherein the content source (col. 3, lines 34 – 38, TV input streams) is a video broadcast source (col. 3, lines 34 – 38, PAL broadcast).

As to claim 13, Barton' 389 discloses a method as claimed in claim 1 wherein the content signal (fig. 1, input stream) is a multimedia signal (col. 3, lines 34 – 38, DSS).

As to claim 14, Barton' 389 discloses a method as claimed in claim 1 wherein the content signal (fig. 1, input stream) is a text signal (col. 3, line 58, Close Caption).

As to claim 15, Barton' 389 discloses a method as claimed in claim 1 wherein the content signal (fig. 1, input stream) is an audio signal (col. 3, lines 34 – 38, DBS).

As to claim 16, Barton' 389 discloses a computer programme enabling the carrying out of a method according to claim 1 (col. 8, line 9, TiVo Media Kernel).

Referring to claim 17, Barton' 389 discloses an apparatus for content presentation comprising:

a receiver (fig. 1, input module) for receiving a content signal from a content source;

a processor (fig. 1, CPU) for deriving a content indicator from a content analysis of the content signal; and

a controller (fig. 1 media switch 102) for adjusting a presentation rate of the content signal in response to the content indicator.

As to claim 18, Barton' 389 discloses an apparatus as claimed in claim 17 wherein the apparatus is a video signal playback apparatus (video playback apparatus of fig. 1) and the content signal is a video signal (col. 3, lines 34 – 38, TV input streams).

As to claim 19, Barton' 389 discloses an apparatus as claimed in claim 18 wherein the apparatus is a video recorder unit further comprising a recording controller operable to record the video signal (col. 3, lines 34 – 38, TV input streams) on a storage medium (fig. 1, hard disk).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bedard (U.S. Pat. No. 5801747) discloses a method and apparatus for monitoring television viewing activity to determine preferred categories of programming and preferred channels of a viewer.

Cragun et al. (U.S. Pat. No. 5859662) discloses a television presentation and editing system uses closed captioning text to locate items of interest.

Harvey et al. (U.S. Pat. No. 5887243) discloses a unified system of programming communication.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juanito C. Borromeo III whose telephone number is 571 270 1720. The examiner can normally be reached on Mon-Fri, 8:30-9:30, EST.

Art Unit: 2184

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Tsai can be reached on 571 272 4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*✓ CFS*

*Henry Tsai*  
HENRY TSAI  
SUPERVISORY PATENT EXAMINER  
8/16/07